

The State Board of Education/State Board for Vocational Education held its regular meeting on Thursday, June 20, 2013, in the Cabinet Room of the John G. Townsend Building, Dover, Delaware.

Present were: Teri Quinn Gray, President; Jorge L. Melendez, Vice President; Gregory B. Coverdale, Jr.; G. Patrick Heffernan, Randall L. Hughes, II, Barbara B. Rutt, Terry M. Whittaker; and Mark T. Murphy, Executive Secretary and Secretary of Education. Donna R. Johnson, who serves as the State Board's Executive Director, was also present.

Also in attendance were Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education; David Blowman, Deputy Secretary of Education; Karen Field Rogers, Associate Secretary, Financial Reform and Resource Management; Michael Watson, Chief Academic Officer, Teaching and Learning; and Dr. Susan Haberstroh, Associate Secretary, Education Supports & Innovative Practices.

Attending portions of the meeting in conjunction with agenda items: Donna Mitchell, Professional Standards Board (PSB); Diane Donohue, Mary Ann Mieczkowski, Chantel Janiszewski, Mary Kate McLaughlin, Sarah Celestin, Shelley Rouser, and John Carwell.

Also attending: Catherine Hickey, Deputy Attorney General; Alexandra Leach, SBE Intern; Sue Francis, Delaware School Boards Association (DSBA); Cathy Oliver, ETS; Paula Fontello, Deputy Attorney General; Amber Cooper, Budget Office, and Kendall Massett, Delaware Charter School Network, Melissa Hopkins, Rodel; Jenner Bucsak, Rodel; Oliver Dreibelbis, Delaware Design Lab; Nash Childs, Delaware MET; Scott Goss, Middletown Transcript; Matt Albright, News Journal; Jim Taylor, Delaware Charter School Network; Raye Jones Avery, Kuumba Academy; Noel Rodriguez, Academy of Dover; Cheri Marshall, Academy of Dover, Dennis Dinger, First State Military Academy, Kelly Carey, First State Military Academy; Lynne Howard, Kuumba Academy; Linda Jennings, MOT; Cristina Alvarez, Delaware Design Lab and Martin Rayala, Delaware Design Lab.

Call to Order

President Gray presided over the monthly meeting and called the meeting to order at 1:01 p.m. She welcomed all guests to the State Board's monthly public meeting.

Approval of Agenda

The first order of business was approval of the agenda. It was announced that the agenda was amended a few days prior to the meeting. There was no change to the agenda. The change was to the order of the items on the agenda by placing the charter school items earlier to accommodate the Executive Secretary's and Executive Director's attendance at the General Assembly. A motion was made by Mr. Heffernan to approve the agenda as amended. The motion was seconded by Mr. Coverdale and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

Approval of Minutes

Regular Meeting- May 16, 2013

The Board received a copy of the regular meeting minutes prior to the meeting. Dr. Gray asked if there were any changes or additions to the minutes. A motion was made by Mrs. Rutt to approve the minutes of the State Board regular meeting held on May 16, 2013 as presented. The motion was seconded by Mr. Heffernan and carried with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

Formal Public Comment

It was indicated that this was the time the Board set aside for formal public comment. President Gray announced that no individuals signed up to address the State Board.

State Board Business

Boardsmanship Award

Sue Francis, Executive Director of the Delaware School Boards Association, commented that all board members receive credit for their many activities and for their attendance at meetings and events. She stated that she was very pleased to present the Certificate of Merit to State Board member Barbara Rutt. Congratulations were extended.

Committee Reports from State Board Members

Mr. Hughes participated in several NASBE conference call meetings and spoke before the Delaware School Board Association and the Delaware Advisory Council for Vocational Education.

Dr. Whittaker stated that he and Mr. Hughes attended the Governor's signing of Senate Bill 51 into law. He was impressed with the many stakeholder groups that were present and supported the legislation.

Mr. Melendez attended the vote on the House floor for Senate Bill 51 after the May State Board meeting.

Mr. Coverdale attended the retirement ceremony honoring Patricia Coverdale, his mother and principal at Elbert-Palmer Elementary School in the Christina School District for her forty years of service in education.

Mrs. Rutt noted that she also attended the House vote on Senate Bill 51 and represented the State Board at the Delaware School Boards Association, Board of Directors meeting which included a presentation on school safety.

Mr. Heffernan also attended the House vote for Senate Bill 51 and was very pleased that it passed.

President Gray explained that she would only highlight a few items. She was honored to be the keynote speaker for the Family Foundations Academy graduation and noted that the ceremony was truly a celebration and the school leadership clearly promotes a college going culture for its students. Dr. Gray noted that she attended five graduations.

Dr. Gray attended the event sponsored by the Rodel Foundation designated as their coming out party for the next decade. Dr. Gray participated in many STEM Council activities and commented that the Council released its annual report and has launched its new website.

Ms. Johnson directed the Board members to the items posted on eBoards which align with the State Board's strategic plan. The posting also provides information and resources for the public. She was pleased to announce that the Delaware State Board of Education received third place recognition from eBoard Solutions for its use of the meeting management tool.

Ms. Johnson commented that she received information concerning the State Board's website and was informed that there have been approximately 1,289 visits to the Board's meeting audio and over 3,000 to the meeting agenda in the past year.

The Board was informed that the Appoquinimink School District was recently honored as part of the new publisher guidelines that focused on integration of healthy scenarios across all content areas. The honor was in conjunction with NASBE and the Let's Move Campaign. Ms. Johnson also introduced Alexandra Leach, who is interning for the State Board Office this summer.

Elect NASBE Voting Delegate and Discuss Other Voting Items for Annual Conference

It was agreed to postpone this item until the July meeting.

Secretary's Report, Review and Discussion

Secretary Murphy spoke to the inaugural class of the executive leaders academy sponsored by the Delaware Academy for School Leadership (DASL) and the University of Delaware. The program focuses on school leaders and principals becoming superintendents or district leaders. The program has twenty participants.

Mr. Murphy commented that the reason for amending the agenda today was the charter legislation was due for a vote today. The legislation raises the bar and expectations while also providing assistance and flexibility to charter schools. It also supports the use of the charter performance framework and its implementation.

The National Council on Teacher Quality has issued its report on teacher preparation programs. Secretary Murphy stated that even though the percentage of quality programs was low, Delaware has just recently passed legislation that improves the quality of teacher education programs. He also stated that Delaware is in better shape than many other states.

Secretary Murphy's final update was on the teacher evaluation, DPAS II. He feels that the State is poised to step forward in the coming year. The proposed regulations will allow for better focus for the evaluation, a more authentic review, and a decrease in the amount of administrative time on evaluations.

Charter Schools

John Carwell, from the Charter Schools Office, and Chief of State Mary Kate McLaughlin presented the charter school items.

Reconsideration of Application for Major Modification of an Existing Charter: Academy of Dover (For Action)

The Board of Directors of this school submitted an application to modify the school's charter to add grade 5. The Charter School Accountability Committee issued its report on the application. A public hearing on the application was conducted on May 7, 2013. Mr. Carwell noted that the background information was submitted last month. It was the recommendation of the Charter School Accountability Committee to not approve the application pending the submission of additional information. Specific items to be submitted by May 31st included goals and targets for Grade 5, analysis of student performance data and for submission by July 31st, units of instruction in several content areas. All of the submissions have been submitted with the exception of the units of instruction for ELA. Mr. Carwell noted that the submission of additional units of instruction in art and music are not within the regulatory requirement so the school is in compliance.

Mr. Carwell clarified the process. He explained that the Secretary makes a recommendation after the close of the Committee's review. His recommendation is based on full review of the record. The recommendation of the Secretary and the Committee may not always align.

Secretary Murphy stated that last month he asked for the Board's assent on this modification as he believed the outstanding items would be addressed. Since the last meeting a majority of the items have been submitted and the one submission is on track. The one item must be submitted by the end of July and goes above and beyond the scope of the law. The Secretary stated that he is again not agreeing with the recommendation of the Charter School Accountability Committee and asking that the State Board assent to his recommendation to approve the modification.

Dr. Gray stated that the Secretary was seeking the assent of the State Board on the application of the Academy of Dover to modify its charter to add Grade 5. She asked if there was a motion that based on the review of the record and consideration of the Secretary's approval that the Board assents to the approval of the application for a modification, as recommended by the Secretary.

The motion was made by Mrs. Rutt, seconded by Dr. Whittaker. There was discussion on the submission of the units of instruction for ELA as well as art and music which were raised last month. Ms. Johnson provided a response to the Board that provided clarification on the issue. There was also discussion on the Charter School Accountability Committee's request for information that was above and beyond what is required and a discussion on charters meeting requirements and the need to change timetables so there are not conditions as part of the approval as were initially presented in this case.

The motion carried unanimously with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	
Dr. Whittaker	

Decision on an Application to Open a New Charter School:
Delaware Design Lab High School (For Action)

Mr. Carwell stated that an application to open a new charter was submitted by the founding members of Delaware Design-Lab High School. The applicant is seeking approval to open a charter school in 2014 in New Castle County (City of Wilmington) serving 240 students in grades 9-10 and expanding to 560 students in grades 9-12 by the fourth year of operation. Design Lab seeks to replicate successful charter high schools which emphasize the design process and critical and analytical thinking. The Charter School Accountability Committee has

issued its report on the application which recommends its approval with conditions and a public hearing on the application was held on May 7, 2013. The applicant's response to the Committee's report successfully addressed all the conditions.

The Secretary, after reviewing the record completely, and in accordance with the charter school regulations has accepted the recommendation of the Charter School Accountability Committee and is seeking the assent of the State Board to approve this charter application. Dr. Gray stated that the Secretary is seeking the assent of the State Board to the application of Delaware Design Lab High School to open a charter school in New Castle County serving 240 students in Grades 9-10 and expanding to 560 students in Grades 9-12 by the fourth year of operation. A motion was made by Mr. Hughes that based on the record and the consideration of the Secretary's approval, the Board assents to the approval of the application as recommended by the Secretary. The motion was seconded by Dr. Whittaker.

There was discussion on when the Board would receive performance agreements. Mr. Carwell responded that it was one of the assurances in each new application. He noted that the process will take place within the next six months as sessions and workshops are scheduled to assist schools in the use of the performance framework. Ms. Johnson noted that the agreements would be in place prior to the school opening. President Gray noted that all of the conditions from the final report have been met and the school has identified his principal leader.

Mr. Heffernan asked that the expectations of timelines for the new schools be met and that the schools are held accountable for meeting the timelines. Ms. Johnson stated that the Board should expect delivery a performance agreement for any new school authorized today before December 2013 and Mr. Carwell agreed that those timelines would be met.

The motion carried unanimously with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

Decision on an Application to Open a New Charter School:
First State Military Academy (For Action)

Mr. Carwell stated that an application to open a new charter school was submitted by the founding members of the First State Military Academy. The applicant is seeking approval to open a charter school in August 2014 in Kent County serving 200 students in grades 9-10 and expanding to 500 students in grades 9-12 by the fourth year of operation. The school seeks to assimilate aspects of the Delaware Military Academy by incorporating the JROTC junior reserve

training program. The Charter School Accountability Committee has issued its report on the application which recommends its approval with conditions and a public hearing on the application was held on May 7, 2013. The applicant's response to the Committee's report addressed all the conditions.

The Secretary, after reviewing the record completely, and in accordance with the charter school regulations has accepted the recommendation of the Charter School Accountability Committee and is seeking the assent of the State Board to approve this charter application. Dr. Gray stated that the Secretary is seeking the assent of the State Board to the application of First State Military Academy to open a charter school in Kent County serving 200 students in grades 9-10 and expanding to 500 students in grades 9-12 by the fourth year of operation. A motion was made by Dr. Whittaker that based on the record and the consideration of the Secretary's approval, the Board assents to the approval of the application as recommended by the Secretary. The motion was seconded by Mr. Melendez.

There was discussion on the public comments made at the hearing which expressed concerns that this school would have an adverse effect on other schools in the area and their programs. Mr. Heffernan stated that according to current regulations this is not a factor but he did want to state that he noticed the public comment that was made. Dr. Gray noted that attendance at charter schools is a parental choice. Mr. Hughes stated he was also concerned about the comments made and programs that may be diminished by a military school opening.

Dr. Gray stated that all conditions from the final report have been met. She commented that the Board would expect a performance agreement by December 2013. On a final note Mr. Heffernan stated that his observation that the schools that are utilizing the same management company had identical responses to the questions. Other Board members echoed that observation and noted that the individuality of each school should be identified in these responses.

The motion carried unanimously with the following vote recorded:

Ayes:	Nays:	Abstention:
Dr. Gray	None.	Mr. Hughes
Mr. Melendez		
Mr. Coverdale		
Mr. Heffernan		
Mrs. Rutt		
Dr. Whittaker		

Decision on an Application to Open a New Charter School:
The Delaware Met (For Action)

Mr. Carwell stated that an application to open a new charter was submitted by the founding members of the Delaware Met. The applicant is seeking approval to open a charter school opening in 2014 in New Castle County in the City of Wilmington serving 264 students in grades

9-10 and expanding to 528. The school plans to emulate The Big Picture Learning model. The Charter School Accountability Committee has issued its report on the application which recommends its approval with conditions and a public hearing on the application was held on May 7, 2013. The applicant's response to the Committee's report successfully addressed all the conditions.

The Secretary, after reviewing the record completely, and in accordance with the charter school regulations has accepted the recommendation of the Charter School Accountability Committee and is seeking the assent of the State Board to approve this charter application. Dr. Gray stated that the Secretary is seeking the assent of the State Board to the application of Delaware Met to open a charter school in New Castle County serving 264 students in grades 9-10 and expanding to 528 students in grades 9-12 by the fourth year of operation. A motion was made by Mr. Heffernan that based on the record and the consideration of the Secretary's approval, the Board assents to the approval of the application as recommended by the Secretary. The motion was seconded by Mr. Melendez.

Dr. Gray noted that this application was unique in that it linked its goals to the charter performance framework. She also noted that the conditions in the final report have all been satisfied.

The motion carried unanimously with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

Decision on an Application to Open a New Charter:
Pike Creek Charter School (For Action)

Mr. Carwell stated that an application to open a new charter was submitted by the founding members of Pike Creek Charter School to open a charter school in New Castle County serving 245 students in Grades 6-7 and expanding to 380 students by the fourth year of operation. The applicant will focus on health and fitness based curriculum. It was the recommendation of the Charter School Accountability Committee in its report to not approve the application. A public hearing was held on June 4, 2013. Secretary Murphy stated that he echoed the same concerns as expressed by the Charter School Accountability Committee and would not be approving this application.

Dr. Gray stated that the Secretary has not approved the application of Pike Creek Charter Middle School to open a charter school in New Castle County serving 245 students in grades 6-7 and

expanding to 380 students in grades 6-8 by the four year of operation. Since the charter statute at 14 Delaware Code, Section 511(c) requires the assent of both the Secretary of Education and the State Board for approval, and since this is not possible given the Secretary's disapproval, the Pike Creek Charter Middle School application does not require further Board action.

Application to Modify an Existing Charter:
Kuumba Academy (For Action)

The Board of Directors of this school submitted an Application to modify the school's charter to add Grades 6-8 to the school's current K-5 grade configuration. Kuumba opened in 2001 and currently has 264 students. The Charter School Accountability Committee has issued its report on the application and a public hearing was held on June 4, 2013. It was noted that Kuumba is one of the most successful charter schools in the state. Secretary Murphy concurred with the recommendation of the Charter School Accountability Committee to approve the modification and asked for the Board's assent.

Dr. Gray noted that the Secretary is seeking the assent of the State Board to the modification of Kuumba Academy Charter to add grades 6-8 to the current K-5 grade configuration.

A motion was made by Mr. Coverdale that based on the review of the record and consideration of the Secretary's approval, the Board assents to the approval of the application for modification as recommended. The motion was seconded by Dr. Whittaker and carried unanimously with the following vote recorded:

Ayes:	Nays:
Dr. Gray	None.
Mr. Melendez	
Mr. Coverdale	
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	
Dr. Whittaker	

Board members noted the school's success and its summary on the performance framework and its rating on the 16 cells which includes four "meets the standard" and twelve "exceeds the standard." The Board wished the school well on its expansion.

Ms. Johnson commented that the performance framework is a tool the Board is utilizing to determine a school's academic performance when making these critical decisions. Dr. Gray stated that the school has a performance agreement in place.

Application to Modify an Existing Charter:
MOT Academy (For Action)

The Board of Directors of this school submitted an Application to modify the school's charter to add Grades 9-12 to the school's current K-8 grade configuration. The school opened in 2002 and currently served 680 students. The Charter School Accountability Committee has issued its report on the application and a public hearing was held on June 4, 2013. Secretary Murphy concurred with the recommendation of the Charter School Accountability Committee to approve the modification and asked for the Board's assent.

Dr. Gray noted that the Secretary is seeking the assent of the State Board to the modification of MOT Academy Charter to add grades 9-12 to the current K-8 grade configuration.

A motion was made by Dr. Whittaker that based on the review of the record and consideration of the Secretary's approval, the Board assents to the approval of the application for modification as recommended. The motion was seconded by Mr. Heffernan and carried unanimously with the following vote recorded:

Ayes:

Nays:

Dr. Gray
Mr. Melendez
Mr. Coverdale
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

The Board noted that MOT was also doing very well according to their performance framework with 4 "exceeds the standard" and 12 "meets the standard" in the 16 cells rated. Ms. Johnson also noted the STEM education initiatives that are ongoing at the school. There was discussion on the selection process to attend the school.

The Board also discussed the current school choice legislation and how it would impact charter schools and enrollment preferences. Any changes to charter school admission would require a statute change.

Update Regarding Development of New Performance Agreements (For Discussion)

Mr. Carwell extended thanks to Ms. Johnson for her assistance on the performance agreement template. Ms. Johnson extended her thanks to Chantel Janiszewski in the Charter Office. The Board was informed of a recent workshop for charter schools that had a condition to establish a performance agreement and was informed that the new performance agreements should begin coming before the Board for approval in August and September.

Update on Closure Preparations for Pencader Charter School (For Information)

Mr. Carwell provided an update. The Department and Public Archives are assisting the school with all records which will be picked up soon. Of the 267 students, 157 have registered at a new

school. A letter was mailed from the school to parents asking them to preregister at a new school. Dr. Gray asked if some of the students could have registered at a private or parochial school. Mr. Carwell indicated he would check and provide a follow up to the Board and also include those who will be home schooled.

Update on Status and Progress of New Moyer Academy

Mr. Carwell highlighted the outputs and data. Preliminary academic gains were noted at the school this year. He indicated that the school also plans to purchase its building and a lease extension has been extended by the current owners. K-12 is the current management company and the school has planned an extensive evaluation of the company. With continued support from the management company, the school is economically viable. Under the curriculum review, Mr. Carwell noted that the curriculum is part of the school's current modification request. Additional information on that will come before the Board with the school's modification request in July. As a follow up from last month, the Board was provided with the school's improvement plan.

There was discussion by the Board members on the school's current enrollment and if it was currently in compliance with its charter. There was also discussion on the preliminary data that the Board has not been given that shows academic gains. Mr. Heffernan noted that on the performance framework for the 18 cells rated, Moyer showed 15 as "far below the standard" and 3 that "do not meet the standard." None of the cells meet the standard. He also questioned some of the aspects of the improvement plan. Mr. Carwell stated that the Charter Office could assist the school in setting its goals. It was noted that the Secretary must approve and the State Board assent the school's performance agreement.

Ilona Kirshon, legal counsel for the State Board, noted that Moyer was not on the Board's agenda for its renewal or modification and should limit its conversation on the deliverables Mr. Carwell is addressing.

There was also discussion on the school's attendance and DCAS participation and improvement plan. Mr. Heffernan expressed the Board's concern is whether or not the students at this school are well served. The school's modification request has been discussed for quite some time and has not appeared on the agenda. The continued postponement is also cause for concern.

Dr. Gray stated that what the Board has before them shows that Moyer is far below in almost every category and the Board does not have access to the preliminary data referenced by the Department that shows academic gains. She also noted that the targets in the school improvement plan do not make sense when compared to the expectation outcomes set forth in the performance framework. The Board would want to see data from the performance framework as it would from any other charter school.

Annual Charter School Report (For Information)

The report is not complete but progressing well to a finished product.

Charter Schools Update (For Information)

Mr. Carwell stated that the office has received two charter modifications. Both DAPSS and Reach have submitted modifications to change their location. The preliminary meetings have been completed and should come before the Board in July.

Mr. Heffernan spoke to the importance of receiving the Annual Report in a timely fashion so current data is indicated. Mr. Carwell stated that renewals will be submitted next month and the data in the annual report is crucial for those.

The Board recessed at 3:08 for a short break. Mr. Hughes asked to be excused due to a prior commitment. The Board reconvened at 3:20 p.m.

Department of Education

IDEA Annual Performance Report

Mary Ann Mieczkowski, Director of Exceptional Children Resources, and Sarah Celestin, Education Associate, presented an overview of the FFY 2011 Annual Performance Report submitted to the federal Office of Special Education Programs on the progress of the state toward required indicators in special education. Each state must report on the progress of children with disabilities and improvement activities for required indicators against targets. Indicators focus on Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE), Disproportionality and General Supervision. The Board was provided with the outcome for each category of the indicators and if the target was met. It was noted that there is a need for increased focus to improve results especially in the areas of academic performance, LRE and transition outcomes and to strengthen the capacity at the local level to identify and correct noncompliance in a timely manner.

The Exceptional Children Resources Department is revising its general supervision system to a tiered system for monitoring to include results and compliance and to increase the focus on results when determining yearly status of the LEAs. The new system will be in place systematically across 2013-14 and 2014-15 school years.

Mr. Coverdale asked to be excused at this time due to a prior commitment.

Update on Common Core State Standards Implementation Initiatives

Michael Watson, Chief Academic Officer, Shelley Rouser, Director of K12 Initiatives and Educator Engagement, and Mary Ann Mieczkowski, Director of Exceptional Children Resources, presented an overview of CCSS implementation progress in the state to date. The Board was presented with the timeline through May 2014 for the Common Ground for the Common Core. Additional regional convenings are scheduled for October and key activities will take place this summer and the 13-14 school year for the state implementation plan.

Mr. Watson briefed the State Board on where the Department is and what has been accomplished including the two day session that was attended by over 700 educators. Additionally all school, district and charter leaders have access to the new Blackboard site for professional development and curricular resources. All also have access to the Department's Common Core website which is a public website. It was also explained that special education teachers as well as English as a Second Language teachers are involved in comprehensive professional development on the Common Core State Standards. It was announced that all Common Ground school level implementation plans are due by June 30th and will be reviewed by a set of 30 reviewers. Reviewers include staff from the Council of Chief State School Officers, Student Achievement Partners, Expeditionary Learning, Achieve, charter leaders and directors of instruction and Department staff.

Secretary Murphy commented that the Blackboard site could be used to highlight what schools are doing and schools could use the site to evaluate what they are doing.

The Board took a brief recess at 4:43 p.m. and reconvened at 4:49 p.m.

Department of Education Regulations

Dr. Susan Haberstroh presented the Department's regulations. Joining her was Diane Donohue.

106 Teacher Appraisal Process Delaware Performance Appraisal System (DPAS II) - For Discussion

The Secretary of Education is seeking the consent of the State Board of Education to repeal 14 DE Admin. Code 106 Teacher Appraisal Process Delaware Performance Appraisal System (DPAS II). The regulation is no longer applicable because 14 DE Admin. Code 106A Teacher Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised took effect beginning in the 2011-2012 school year.

107 Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) - For Discussion

The Secretary of Education is seeking the consent of the State Board of Education to repeal 14 DE Admin. Code 107 Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II). The regulation is no longer applicable because 14 DE Admin. Code 107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised took effect beginning in the 2011-2012 school year.

108 Administrator Appraisal Process Delaware Performance Appraisal System (DPAS II) - For Discussion

The Secretary of Education is seeking the consent of the State Board of Education to repeal 14 DE Admin. Code 108 Administrator Appraisal Process Delaware Performance Appraisal System

(DPAS II). The regulation is no longer applicable because 14 DE Admin. Code 108A Administrator Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised took effect beginning in the 2011-2012 school year.

106A Teacher Appraisal Process Delaware Performance Appraisal System
(DPAS II) Revised - For Discussion

The Secretary of Education is seeking the consent of the State Board of Education to amend 14 DE Admin. Code 106A Teacher Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised.

The amendments address the following: 1) eliminates provisions that were in place for the 2011-2012 and 2012-2013 school years only; 2) provides that the proposed amended regulation will be in effect beginning with the 2013-2014 school year; 3) defines “Credentialed Observer” and “Evaluator” in order to be specific about which individuals are responsible for certain teacher appraisal activities; 4) provides more specificity on the definition of “summative evaluation”; 5) changes the configuration of announced and unannounced observations for both experienced and novice teachers; 6) provides districts and charter schools flexibility in the appraisal criterion to be used for DPAS II in the first four Appraisal Components; 7) requires Appraisal Criteria observed to be rated on each observation conducted and to be assigned an overall rating in a teacher’s Summative Evaluation; 8) modifies when an Improvement Plan must be developed versus may be developed for a teacher if the teacher’s overall performance during an observed lesson is unsatisfactory; and 9) eliminates the requirement that professional development completed during the time of an Improvement Plan is in effect to be certified by the Department.

The amendments have been reviewed and comments provided by several stakeholders groups over the last several months. This includes the Department’s DPAS II Review Committees and the DPAS Advisory Committee

107A Specialist Appraisal Process Delaware Performance Appraisal System
(DPAS II) Revised - For Discussion

The Secretary of Education is seeking the consent of the State Board of Education to amend 14 DE Admin. Code 107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised.

The amendments address the following: 1) eliminates provisions that were in place for the 2011-2012 and 2012-2013 school years only; 2) provides that the proposed amended regulation will be in effect beginning with the 2013-2014 school year; 3) defines “Credentialed Observer” and “Evaluator” in order to be specific about which individuals are responsible for certain specialist appraisal activities; 4) provides more specificity on the definition of “summative evaluation”; 5) changes the configuration of announced and unannounced observations for both experienced and novice specialists and modifies the number of observations required for novice specialists; 6) provides districts and charter schools flexibility in the appraisal criterion to be used for DPAS II in the first four Appraisal Components; 7) requires Appraisal Criteria observed to be rated on each observation conducted and to be assigned an overall rating in a specialist’s Summative

Evaluation; 8) modifies when an Improvement Plan must be developed versus may be developed for a specialist if the specialist's overall performance during an observed lesson is unsatisfactory; and 9) eliminates the requirement that professional development completed during the time of an Improvement Plan is in effect to be certified by the Department.

The amendments have been reviewed and comments provided by several stakeholders groups over the last several months in relation to 14 DE Admin. Code 106A, as 107A has historically been a parallel regulation. This includes the Department's DPAS II Review Committees and the DPAS Advisory Committee.

Dr. Haberstroh highlighted the proposed changes to the regulations. The amendments will be presented for action at the July State Board meeting.

Deputy Secretary of Education stepped in to serve as the Executive Secretary at this time as Secretary Murphy was called to Legislative Hall.

There was discussion on if these changes would streamline the DPAS process. The amendments were based on feedback from DPAS Review Committee and stakeholders. It was explained that there were no changes to Component 5.

Secretary Murphy returned to the meeting at 5:05 p.m.

Professional Standards Board

Donna Mitchell, Executive Director of the Professional Standards Board presented one amended regulation for action.

1502 Professional Growth Salary Increments (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, is seeking the consent of the State Board of Education to amend regulation DE Admin. Code 1502 Professional Growth Salary Supplements. The regulation concerns the requirements for educators to attain salary increments, pursuant to 14 Del.C. §1305(p). It is necessary to amend this regulation in order to insure equity in the issuance of salary increments for the successful completion of a Master's Specialist Certificate.

A motion was made by Dr. Whittaker to consent to amended Regulation 1502, which concerns the requirements for educators to attain salary increments pursuant to 14 Delaware Code Section 1306(p). The motion was seconded by Mr. Melendez and carried unanimously with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Dr. Gray	None.	Mr. Coverdale
Mr. Melendez		Mr. Hughes
Mr. Heffernan		
Mrs. Rutt		
Dr. Whittaker		

The Board signed the appropriate Order.

Appeals and Reviews

Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education stated that there were five items under Appeals and Reviews; three items for information and two items for action.

Since school disciplinary matters are confidential the Board entered into Executive Session pursuant to 29 *Del. C.* § 10004(b)(7). The motion was made by Mr. Melendez, seconded by Dr. Whittaker and carried unanimously with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Dr. Gray	None.	Mr. Coverdale
Mr. Melendez		Mr. Hughes
Mr. Heffernan		
Mrs. Rutt		
Dr. Whittaker		

The Board went into Executive Session at 5:19 p.m. The Board returned to open session at 5:35 p.m. on Mr. Heffernan's motion which was seconded by Mr. Melendez and carried unanimously with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Dr. Gray	None.	Mr. Coverdale
Mr. Melendez		Mr. Hughes
Mr. Heffernan		
Mrs. Rutt		
Dr. Whittaker		

E.R. v. Appoquinimink School District Board of Education (2013-02)

Dr. Gray noted that this is a student disciplinary appeal of a 180 day expulsion and placement in an alternative school. The hearing officer submitted a proposed decision and order upholding the discipline imposed and no exceptions have been filed with the Board.

A motion was made by Mr. Heffernan that having read and considered the record of the proceedings below, including the hearing transcript, any submissions to the hearing officer, and the Proposed Order and it appearing the decision is fully supported by the record, free of legal error, and otherwise within the Board's powers, that the Proposed Order of the Hearing Officer be accepted and adopted as the Decision and Order of the State Board of Education. The motion was seconded by Mr. Melendez and carried unanimously with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Dr. Gray	None.	Mr. Coverdale
Mr. Melendez		Mr. Hughes
Mr. Heffernan		
Mrs. Rutt		
Dr. Whittaker		

The Board signed the appropriate Order.

F.B. v. Reach Academy 2013-03

This matter was resolved between the parties and the appeal has been withdrawn. The State Board signed the appropriate Order.

Information Items

Dr. Gray noted the information items listed on the Board's agenda.

Adjournment

There being no further business, a motion was made by Mr. Heffernan to adjourn the meeting. The motion was seconded by Mr. Melendez and carried unanimously. The meeting adjourned at 5:37 p.m.

Respectfully Submitted;

Mark T. Murphy, Executive Secretary
and Secretary of Education

An audio of the entire meeting is available on the State Board's website at: <http://www.doe.k12.de.us/infosuites/ddoe/sbe/default.shtml>

Executive Session

Appeals and Reviews

Ilona Kirshon, Deputy Attorney General and legal counsel for the State Board of Education recommended that the Board enter into Executive Session since school disciplinary matters are confidential as pursuant to 29 *Del. C.* § 10004(b)(7). A motion was made by Mr. Melendez, seconded by Dr. Whittaker to enter into Executive Session and carried unanimously with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Dr. Gray	None.	Mr. Coverdale
Mr. Melendez		Mr. Hughes
Mr. Heffernan		
Mrs. Rutt		
Dr. Whittaker		

The Board went into Executive Session at 5:19 p.m. T

The Board discussed the appeal with Ilona Kirshon, Deputy Attorney General and State Board of Education legal counsel.

The Board returned to open session at 5:35 p.m. on Mr. Heffernan's motion which was seconded by Mr. Melendez and carried unanimously with the following vote recorded:

Ayes:	Nays:	Not Present at Time of Vote:
Dr. Gray	None.	Mr. Coverdale
Mr. Melendez		Mr. Hughes
Mr. Heffernan		
Mrs. Rutt		
Dr. Whittaker		

Respectfully Submitted;

Mark T. Murphy, Executive Secretary
and Secretary of Education